

**15A NCAC 18A .0911 MARINAS, DOCKING FACILITIES, AND OTHER MOORING AREAS**

The Division of Marine Fisheries shall classify shellfish growing waters with respect to marinas, docking facilities, and other mooring areas as follows:

- (1) the Division shall classify all waters within a marina as prohibited to the harvesting of shellfish for human consumption; and
- (2) the Division shall conduct a dilution analysis, in the form of a volumetric calculation or in-field hydrographic study, to determine the volume of water necessary to dilute the concentration of fecal coliform bacteria to less than 14 MPN. The Division shall classify the water area determined by this dilution analysis as prohibited to the harvesting of shellfish for human consumption. The Division shall conduct the dilution analysis yearly and shall incorporate the following:
  - (a) the findings of the shoreline survey, including the presence of a sewage pumpout system or dump station;
  - (b) the physical factors influencing the dilution and dispersion of human wastes; and
  - (c) for marinas, docking facilities, and mooring areas in close proximity to one another, slip counts and services shall be combined for the purposes of the dilution analysis. Marinas, docking facilities, and mooring areas, each with three slips or more, shall be considered to be in close proximity to one another if the dilution analysis for each individual facility indicates that the dilution areas meet or overlap.

*History Note: Authority G.S. 113-134; 113-182; 113-221.2; 143B-289.52;  
Eff. June 1, 1989;  
Amended Eff. July 1, 1993;  
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